

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JENNIFER MICHELLE JUSTICE,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

No. 2:13-CV-5127-JTR

ORDER ADOPTING REPORT AND
RECOMMENDATION TO GRANT
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE SIX OF 42 U.S.C. §
405(g)

BEFORE THE COURT is Magistrate Judge John T. Rodger's February 27, 2014, Report and Recommendation to grant the parties' stipulated motion to remand the above-captioned matter to the Commissioner for a *de novo* hearing pursuant to sentence six of 42 U.S.C. § 405(g). ECF No. 8. Objections to the Report and Recommendation were due on or before March 13, 2014. There being no objections to the Report and Recommendation, the Court **ADOPTS** the Report and Recommendation in its entirety.

Accordingly, **IT IS ORDERED:**

1. The parties' stipulated motion for remand pursuant to sentence six of 42 U.S.C. § 405(g), **ECF No. 7**, is **GRANTED**.

2. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings, including a *de novo* hearing, pursuant to sentence six of 42 U.S.C. § 405(g). On remand, the

1 administrative law judge (ALJ) shall offer Plaintiff an opportunity for a new
2 hearing, further update the medical record as deemed necessary, and issue a new
3 decision.

4 3. If the outcome of the *de novo* hearing is not favorable to Plaintiff,
5 Plaintiff may seek judicial review by reinstating this case rather than by filing a
6 new complaint. If the outcome of the administrative proceedings is fully favorable
7 to Plaintiff, the parties shall file a motion to dismiss the complaint.

8 4. **The Court will retain jurisdiction of this action; no judgment shall**
9 **be entered until further order of the Court.**

10 The District Court Executive is directed to enter this Order, forward copies
11 to counsel, and **ADMINISTRATIVELY CLOSE THE FILE.**

12 **DATED** this 15th day of April 2014.

13
14 s/ Rosanna Malouf Peterson
15 ROSANNA MALOUF PETERSON
16 Chief United States District Court Judge
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